

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

BRIAN SULLIVAN, individually and on behalf of a class of all persons similarly situated and on behalf of the GE RETIREMENT SAVINGS PLAN,

Plaintiff,

v.

GENERAL ELECTRIC COMPANY, GE ASSET MANAGEMENT INCORPORATED, DMITRI STOCKTAN, CHERYL BEUCOCK, ANAND HARI, RALPH RICHARD LAYMAN, DANIEL O. COLAO, DAN TOREY, and JOHN DOES 1-25,

Defendants.

Civil Action No. 1:17-12123-DJC

ANTHONY POWELL, FRANK MAGLIOCCA, KELVIN DOUGLAS, and MELINDA STUBBLEFIELD, individually and on behalf of a class of all persons similarly situated and on behalf of the GE RETIREMENT SAVINGS PLAN,

Plaintiffs

v.

GENERAL ELECTRIC COMPANY, GE ASSET MANAGEMENT INCORPORATED, DMITRI STOCKTON, CHERYL BEACOCK, ANAND HARI, RALPH RICHARD LAYMAN, DAN TOREY, DANIEL O. COLAO and JOHN DOES 1-25,

Defendants.

Civ. Action No. 1:17-CV-12139-DJC

MARIA LATORRE and ROBYN BERGER,  
individually and on behalf of others similarly  
situated and the GE RETIREMENT  
SAVINGS PLAN,

Plaintiffs

v.

GENERAL ELECTRIC COMPANY, SSGA  
FUNDS MANAGEMENT, INC., GE ASSET  
MANAGEMENT INCORPORATED, GE  
RETIREMENT SAVINGS PLAN  
TRUSTEES, and DOES1-20, inclusive,

Defendants.

Civ. Action No. 1:17-CV-12267-DJC

**STIPULATION FOR CONSOLIDATION AND APPOINTMENT  
OF INTERIM CLASS COUNSEL**

WHEREAS, on November 16, 2017, Defendants General Electric Company (GE) and GE Asset Management Incorporated (“Defendants”) and the Plaintiffs in the above-captioned *Sullivan* and *Powell* matters jointly moved to consolidate the *Sullivan* and *Powell* actions and to set a schedule for the filing of a consolidated amended complaint and Defendants’ response thereto (*Sullivan* Docket No. 14), which motion was granted on November 20, 2017 (*Sullivan* Docket No. 15);

WHEREAS, on November 15, 2017 another substantively-similar action was filed in this District, *LaTorre v. General Electric Company*, 1:17-CV-12267 (the “*LaTorre* Action”);

WHEREAS, Plaintiffs’ counsel in all actions have conferred and agreed to work together in order to avoid duplicative litigation;

It is hereby STIPULATED and AGREED as follows:

## **CONSOLIDATION OF ACTIONS**

1. The *Latorre* action is consolidated for all purposes, including pretrial proceedings, trial and appeal, with the *Sullivan* and *Powell* actions.

2. The caption of this consolidated action shall be *In re GE ERISA Litigation*, File No. 1:17-CV-12123-DJC.

3. In the event the similar action, *Haskins v. General Electric Company*, 17-cv-1960 (S.D. Cal.), which was disclosed to the Court in the motion for consolidation (*Sullivan* Docket No. 14), is transferred to this District pursuant to Defendants' motion to transfer, counsel for the parties herein will confer with counsel in *Haskins* with regard to the propriety of further consolidation.

4. Aside from the *Haskins* action, any other actions later filed in, or transferred to this Court which arise out of, or are related to, the same facts as alleged in the above-referenced cases shall be consolidated for all purposes, if and when they are brought to the Court's attention.

5. Every pleading filed in this consolidated action, or in any separate action included herein, shall bear the following caption:

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE GE ERISA LITIGATION ) Master File No. 1:17-CV-12123-DJC  
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## **ORGANIZATION OF PLAINTIFFS' COUNSEL**

6. Plaintiffs' counsel shall work as Co-Lead Counsel. Co-Lead Counsel shall consist of the following counsel from each of the consolidated actions (in order of filing date):

- a. Squitieri & Fearon, LLP

- b. Gardy & Notis, LLP
  - c. Robbins Geller Rudman & Dowd LLP
7. Plaintiffs' Liaison Counsel shall be Block & Leviton LLP.
8. Plaintiffs' Co-Lead Counsel shall have day-to-day responsibility for the conduct of the consolidated litigation; shall determine how to prosecute the case and shall initiate, coordinate and supervise the efforts of plaintiffs' counsel in the consolidated action in the areas of discovery, briefing, trial and settlement.
9. Plaintiffs' Co-Lead Counsel may delegate responsibility for specific tasks to other plaintiffs' counsel in the consolidated action in a manner to assure that pretrial preparation is conducted effectively, efficiently and economically; shall assist in maintaining communication among counsel; and shall monitor the activities of plaintiffs' counsel to assure that schedules are met and unnecessary expenditures of time and money are avoided. Plaintiffs' Co-Lead Counsel shall maintain the official service list of all plaintiffs and plaintiffs' counsel in the consolidated action, including their addresses. Plaintiffs' Co-Lead Counsel shall perform any additional functions that may be assigned to them by the Court. Agreements reached between Defendant and Plaintiffs' Co-Lead Counsel are binding on all plaintiffs and their counsel. No discovery shall be served, and no motion shall be filed, by any plaintiffs' counsel without the consent of Plaintiffs' Co-Lead Counsel.

10. Defendants take no position with regard to Plaintiffs' Co-Lead Counsel appointment or structure.

11. The parties will comply with the schedule that has already been established, unless the Court orders a further amended schedule. Absent an amended schedule, Plaintiffs shall file a

consolidated amended complaint by December 22, 2017 and Defendants shall file a single responsive pleading on or before January 31, 2017.

IT IS SO STIPULATED.

Dated: December 5, 2017

/s/James O. Fleckner

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/s/Jason M. Leviton

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**CERTIFICATE OF SERVICE**

I, Jason M. Leviton, hereby certify that the foregoing document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) this 5<sup>th</sup> day of December 2017.

/s/Jason M. Leviton  
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Jason M. Leviton

**ORDER**

Having considered the parties' Stipulation, and good cause appearing, the Court hereby GRANTS the parties' Stipulation.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

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THE HONORABLE DENISE J. CASPER  
UNITED STATES DISTRICT JUDGE